

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:22-cv-03024-FMO-JC	Date	May 6, 2022
Title	Frank Mazen v. T. Allen		

Present: The Honorable	Jacqueline Chooljian, United States Magistrate Judge		
Kerri Hays	None	None	None
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Petitioner:	Attorneys Present for Respondent:		
none present	none present		

Proceedings: (IN CHAMBERS)

**ORDER TO SHOW CAUSE WHY PETITION SHOULD NOT BE
DISMISSED DUE TO PETITIONER'S FAILURE TO VERIFY
PETITION**

On March 4, 2022, petitioner Frank Mazen, a prisoner in state custody and proceeding *pro se*, filed a Petition for Writ of Habeas Corpus by a Person in State Custody (“Petition”) in this action. Petitioner failed to sign the Petition verifying under penalty of perjury that the contents of the Petition are true and correct.

Rule 2(c)(5) of the Rules Governing Section 2254 Cases in the United States District Courts requires that a habeas petition be signed under penalty of perjury by the petitioner or by a person authorized to sign it for the petitioner under 28 U.S.C. § 2242. A district court may dismiss an unsigned and unverified petition for writ of habeas corpus. See Hendricks v. Vasquez, 908 F.2d 490, 491 (9th Cir. 1990).

In light of the foregoing, petitioner is ordered by not later than **May 26, 2022** to show cause why the Petition should not be dismissed due to petitioner’s failure to verify the Petition. Petitioner’s filing of a signed/verified version of the Petition by such date will be a sufficient response to this Order to Show Cause. The Clerk is directed to provide petitioner with a copy of the Petition for petitioner’s use in the event he elects to respond to this Order to Show Cause by signing such copy, verifying that the contents thereof are true and correct under penalty of perjury, and returning it to the Court by the foregoing deadline.

Petitioner is cautioned that the failure timely to respond to this Order to Show Cause may result in the dismissal of the Petition based upon the above-referenced deficiency and/or the dismissal of this action based on petitioner’s violation of/failure to comply with this Order to Show Cause and/or petitioner’s failure to prosecute.

IT IS SO ORDERED.